Amendments to the Drawings:

The attached replacement drawing sheets makes changes to Figs. 1, 2 and 10 and

replace the original sheets with Figs. 1, 2 and 10.

Attachment: Replacement Sheets

REMARKS

Claims 1-14 are pending in this application. By this Amendment, claims 1, 7, 8 and 14, and Figures 1, 2 and 10 are amended. No new matter is added by these amendments as support can be found in at least paragraphs [0028], [0069], [0100]-[0105] and [0112], regarding claims 1, 7 and 8, and paragraphs [0159]-[0161] regarding claims 8 and 14. Reconsideration of the application based on the above amendments and the following remarks is respectfully requested.

The Office Action, in paragraph 3, objects to the Figures 1, 2 and 10 as failing to comply with 37 C.F.R. §1.84. Figures 1, 2 and 10 are amended to obviate the objection. Accordingly, withdrawal of the objection to the drawings is respectfully requested.

The Office Action, in paragraph 4, rejects claims 8 and 14 under 35 U.S.C. §101 as being directed to non-statutory subject matter. Claims 8 and 14 are amended to obviate the rejection. Accordingly, reconsideration and withdrawal of the rejection of claims 8 and 14 under 35 U.S.C. §101 are respectfully requested.

The Office Action, in paragraph 6, rejects claims 1-3, 5-10 and 12-14 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent Application Publication No. 2002/0111939 to Kondo et al. (hereinafter "Kondo"). Additionally, in paragraph 8, the Office Action rejects claims 4 and 11 under 35 U.S.C. §103(a) as being unpatentable over Kondo in view of U.S. Patent No. 6,826,316 to Luo et al. (hereinafter "Luo"). The Applicant respectfully traverses these rejections.

In rejecting at least independent claims 1, 7 and 8 the Office Action asserts that Kondo teaches all of the features of these claims. However, Kondo does not teach the features of amended claims 1, 7 and 8, as described in detail below.

The image retrieving device of the pending claims recites the following features.

(a) an image storing section for storing the image which is supposed to be classified and retrieved together with the keyword in a database and the object of the image being previously contained in the database,

(b) an image inputting detecting section that detects an inputted image that is newly inputted to the image retrieving device,

(c) an object acknowledging section for acknowledging an inputted object in the inputted image that has been detected by the image inputting detecting section,

(d) a keyword proposing section for proposing a keyword on a display, the keyword which relates to the inputted object which is acknowledged by the object acknowledging section, and

(e) an object information inputting section for confirming by the user, adding, and correcting the keyword which is proposed by the keyword proposing section when the inputted object acknowledged by the object acknowledging section is similar to the object of the image previously contained in the database.

Kondo teaches, as illustrated in Fig. 8, at steps S811 to S817, the below-described processes (i) to (iv) are sequentially carried out.

(i) At step S811, a decision is made as to whether the face image has already been registered in a face dictionary.

(ii) If the face image has not already been registered at step S811, then a name is entered to correspond to the face image at step S813.

(iii) After carrying out step S813, the face image is cut-out and the entered name are correlated with each other and, therefore, registered in the face dictionary at step S815. The program proceeds to step S817.

(iv) If the face image has already been registered at step S811, then the program skips steps S813 and S815, and proceeds to step S817.

As described above, with respect to Kondo, if the face image has not already been registered, a name is entered to correspond to the face image. On the other hand, if the face image has already been registered, the program skips these steps.

Kondo does not teach that a keyword relating to the inputted object, as acknowledged by the object acknowledging section, is proposed on a display, the keyword which relates to the inputted object which is acknowledged by the object acknowledging section; and an object information inputting section for confirming by the user, adding, and correcting the keyword which is proposed by the keyword proposing section when the inputted object acknowledged by the object acknowledging section is similar to the object of the image previously contained in the database, as positively recited in the amended claims.

Therefore, since Kondo does not provide the user the opportunity to confirm, add and correct the keyword when the inputted object is similar to the object of the image previously contained in the database, the user cannot confirm the face image.

When face images of two persons whose names are different from each other, but whose faces strongly resemble each other are registered in a database, for example, images of twins, brothers, or the like, when one of the face images is inputted to the image data retrieval apparatus of Kondo, the image data retrieval apparatus uses the above-described process, (i) to (iv). As described above, Kondo does not propose the keyword relating to the inputted face image, nor cause the user to confirm, add, and correct the proposed keyword, even when the inputted face image is similar to the face images previously contained in the database.

In contrast, in claim 1, when an inputted object in the inputted image that has been detected by the image inputting detecting section is acknowledged by the object acknowledging section, the keyword proposing section proposes, on a display, a keyword relating to the inputted object which is acknowledged by the object acknowledging section. Furthermore, in the object information inputting section, the proposed keyword, as provided

by the keyword proposing section, is confirmed by the user, and the keyword is added and corrected as needed, when the inputted object is similar to the object of the image previously contained in the database.

Additionally, the Office Action asserts that Kondo, in paragraph [0084], teaches the keyword proposing section, as positively recited in claim 1. This assertion is incorrect. Instead, Kondo teaches that a name is entered to correspond to the face image in step S813. However, Kondo does not teach that the name is a name that is selectively input from names that are proposed on a display by the keyword proposing section. Therefore, Kondo cannot reasonably be considered to teach a keyword proposing section for proposing the keyword on a display, the keyword which relates to the inputted object which is acknowledged by the object acknowledging section, as positively recited.

Furthermore, Kondo teaches, in Fig. 8, that if the initial figure was previously registered, step S811, the process moves to step S817, in order to find any subsequent figure without proposing on a display the keyword which relates to the inputted object acknowledged by the object acknowledging section. That is, Kondo does not show the keyword relating to the inputted object acknowledged by the object acknowledging section to the user.

The Office Action asserts that Kondo teaches that when a user is unsure about a name, step S817, the user will click on yes and return to S811 and register the new name as desired. This assertion is incorrect. Kondo only teaches that when the registration in the face dictionary ends, a decision is made at step S817 as to whether there exists any subsequent person to be registered. Therefore, Kondo cannot reasonably be considered to teach confirming by the user, adding, and correcting the keyword which is proposed by the keyword proposing section when the inputted object acknowledged by the object acknowledging

section is similar to the object of the image previously contained in the database, as positively recited in the amended claims.

The Office Action asserts that the face image is confirmed by the user. This assertion is incorrect. As Kondo does not disclose that the keyword, which relates to the inputted object acknowledged by the object acknowledging section, is proposed on a display, and since Kondo does not teach the feature when a user is not sure about a name, Kondo cannot reasonably be considered to teach that a face image is confirmed by the user.

Therefore, based on the above discussion, Kondo cannot reasonably be considered to teach a keyword proposing section for proposing the keyword on a display, the keyword which relates to the inputted object which is acknowledged by the object acknowledging section, as positively recited in the amended claims.

In paragraph 1 of the Office Action, it is asserted that the claim language of this application is generalized to any face image whether it is registered in the database or not. Claims 1, 7 and 8 are amended to recite the object of the image being previously contained in the database, and an image inputting detecting section that detects an inputted image that is newly inputted to the image retrieving device. Furthermore, when the inputted object, acknowledged by the object acknowledging section, is similar to the object of the image previously contained in the database, the keyword, which is proposed by the keyword proposing section, is confirmed by the user, added and corrected in the object information inputting section.

Luo does not overcome the deficiencies, as identified above, of Kondo, as applied to the subject matter of claim 1, 7 and 8.

For at least the above reasons, Kondo and Luo cannot reasonably be considered to teach, or to have suggested, the combinations of all of the features recited in at least independent claims 1, 7 and 8. Further, claims 2-6 and 9-14 would also not have been
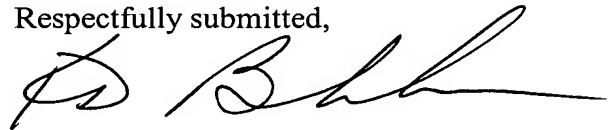
suggested by the applied prior art references for at least the respective dependence of these claims on allowable independent claims 1, 7 and 8 as well as for the separately patentable subject matter that each of these claims recites.

Accordingly, reconsideration and withdrawal of the rejections of claims 1-14 under 35 U.S.C. §102((b) and §103(a) as being unpatentable over the combination of applied prior art references are respectfully requested.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-14 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,

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JAO:KDB/mab

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